

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ABS-CBN Telecom North America,	:	
Incorporated	:	
	:	
Application for certificate of interexchange	:	04-0638
authority to operate as a reseller of	:	
telecommunications services in the	:	
State of Illinois.	:	

ORDER

By the Commission:

On October 20, 2004, ABS-CBN Telecom North America, Incorporated ("Applicant" or "ABS-CBN"), filed a verified Application pursuant to Section 13-404 of the Public Utilities Act ("Act") with the Illinois Commerce Commission ("Commission") for a Certificate of Service Authority to provide resold interexchange telecommunications services in Illinois.

Pursuant to notice given in accordance with the rules and regulations of the Commission, this matter came on for hearing before a duly authorized Administrative Law Judge of the Commission at its offices in Chicago, Illinois on November 17, 2004. John G. Kerwin Du, Applicant's Senior Director for Consumer Business, testified in support of the Application. At the conclusion of the hearing on November 17, the record was marked "Heard and Taken".

Applicant, a California corporation authorized to transact business in Illinois, seeks authority to provide resold interexchange services. It presented evidence demonstrating that it has the necessary technical, financial, and managerial resources to provide the services set forth in its Application. Applicant furnished a Balance Sheet and an Income Statement to demonstrate that it has the financial ability to support the services it will offer in Illinois. Applicant also provided the management profiles of its key personnel as evidence of their experience in telecommunications specifically and in business generally. Mr. Du testified that Applicant would provide its own technical support. Applicant would adhere to all federal and state laws and regulations regarding slamming and cramming.

Applicant has requested that the Commission make certain declarations and grant certain waivers of the requirements of the Public Utilities Act and from the rules and regulations of the Commission. The services Applicant proposes to provide will be

competitive telecommunications services as described in Section 13-502(b) of the Act. Applicant is required to file a tariff with the Commission under Section 13-501 of the Act describing the nature of its service, the applicable rates and charges and the terms and conditions of the service provided. If Applicant files the required tariff in compliance with Section 13-502(e) and the rules adopted thereunder in 83 Ill. Adm. Code 745, many of the provisions of the Act as well as regulations adopted by the Commission in Title 83 of the Illinois Administrative Code will be inapplicable to Applicant.

For interexchange service, Applicant should be granted a waiver of Part 710, the requirement to keep books and records in accordance with the Uniform System of Accounts, pursuant to Section 13-402 of the Act, in order to reduce the economic burdens of regulation on a telecommunications carrier that provides only competitive services. Applicant should also be granted a waiver of Part 735, governing credit, billing deposits, and termination of service, for the reasons stated hereinabove.

Applicant also has requested Commission approval to maintain its books and records at its principal place of business in California, pursuant to 83 Ill. Adm. Code 250. Applicant's request should be granted in accordance with Section 5-106 of the Act.

The Commission, after reviewing the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) ABS-CBN Telecom North America, Incorporated, a California corporation authorized to transact business in Illinois, seeks a Certificate of Service Authority to provide resold interexchange telecommunications services in Illinois, and as such, seeks to become a telecommunications carrier within the meaning of Section 13-202 of the Public Utilities Act;
- (2) the Commission has jurisdiction over Applicant and the subject matter herein;
- (3) as required by Section 13-404 of the Act, Applicant possesses sufficient technical, financial and managerial resources to provide resold interexchange telecommunications services in Illinois;
- (4) Applicant should file with the Commission a tariff consisting of its rates, rules and regulations in accordance with Sections 13-501 and 13-502 of the Act, to be effective upon proper filing, before commencing service;
- (5) with regard to Applicant's provision of interexchange service, Applicant should be granted a waiver from Parts 710 and 735 of 83 Ill. Adm. Code; such waiver will reduce the economic burden of regulation and is not inconsistent with the Act or purposes of Article XIII;

- (6) Applicant should establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission;
- (7) pursuant to 83 Ill. Adm. Code 250, Applicant should be allowed to maintain its books and records at its principal place of business in California in accordance with Section 5-106 of the Act.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that ABS-CBN Telecom North America, Incorporated be, and is hereby, granted a Certificate of Service Authority pursuant to Section 13-404 of the Act for the resale of interexchange telecommunications service.

IT IS FURTHER ORDERED that the Certificate of Service Authority hereinabove granted shall be the following:

CERTIFICATE OF SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that ABS-CBN Telecom North America, Incorporated is authorized, pursuant to Section 13-404 of the Public Utilities Act, to provide the resale of interexchange telecommunications services within the State of Illinois.

IT IS FURTHER ORDERED that Applicant file with this Commission a tariff consisting of its rates, rules and regulations, to be effective upon proper filing before commencing service.

IT IS FURTHER ORDERED that 83 Ill. Adm. Code 710 and 735 be, and are hereby, waived as set forth in Finding (5) hereinabove.

IT IS FURTHER ORDERED that as a condition of this Certificate, Applicant be, and is hereby, directed to establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission.

IT IS FURTHER ORDERED that pursuant to 83 Ill. Adm. Code 250, Applicant is authorized to maintain its books and records at its principal place of business in California.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 15th day of December, 2004.

(SIGNED) EDWARD C. HURLEY

Chairman